CHUCK E. CHEESE'S
University
Established 1977

RESPONSIBLE ALCOHOL SERVICE

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TABLE OF CONTENTS

I.	Introduction	
	- Pre-test	16-17
	- Alcohol Awareness Overview	18
	- Background	19
II.	Server and Licensee Liability	19
	- Dram Shop/Third Party Liquor Liability	20-21
	- Legal Age to Serve	22
III.	Minors and Identification	23
	- Acceptable Forms	24
	- Checking ID's	24
	- Cashier Training/F.L.A.G. System	25
IV.	Intoxication	
	- What is the legal limit?	26
	- Facts	27
V.	Handling Problems	
	- Avoiding and Monitoring	28
	- Intervention Scenarios	28-29
	- Guest Safety	30
	- Helpful Hints	31
VI.	Responsible Alcohol Service Training Acknowledgement	33

RESPONSIBLE ALCOHOL SERVICE
KNOWLEDGE TEST

1. The Dram Shop Act imposes civil liability upon the server of alcohol when an intoxicated person causes injury or property damages to an innocent third party.

   YES NO

2. A person can become just as intoxicated drinking beer or wine as when drinking distilled spirits.

   YES NO

3. The presence of food in the stomach will slow down the absorption rate of alcohol into the bloodstream.

   YES NO

4. The less a person weighs, the less B.A.C. rises per ounce of alcohol consumed.

   YES NO

5. Conventional wisdom states that at .10% BAC, anyone will exhibit signs of being intoxicated.

   YES NO

6. Servers of alcohol must have an acceptable reason for requesting to see a patron's identification prior to service.

   YES NO

7. Check which of the following are legally acceptable forms of ID.

   _____Valid Driver's license
   _____Valid State issued ID card
   _____U.S. Passport
   _____Military ID Card
   _____School ID
   _____Birth Certificate
   _____Social Security Card
   _____Expired Driver's License

8. It is <u>illegal</u> to serve someone under _____ years of age.

9. To remain within the safe limits of alcohol consumption, a medium-built person can normally consume _____ drinks during the first hour. The limit after the first hour is _____ drinks per hour.

10. If a guest arrives at our restaurant already intoxicated and we serve him only 1 drink, we are not liable for what happens when he leaves.

    YES NO

RESPONSIBLE ALCOHOL SERVICE
ANSWER KEY

1. YES. Servers, managers, and owners may be sued.

2. YES. A 12 oz beer = 4 oz wine = 1 oz of alcohol.

3. YES. But really only helps if eaten before or during alcohol consumption

4. NO. The <u>less</u> they weigh, the <u>more</u> the BAC rises.

5. NO. They will exhibit signs prior to that level.

6. NO. Can request ID regardless of cause.

7. Valid Driver's License, Valid State ID Card, US Passport, Military ID Card. The rest are not valid, even if combined.

8. 21

9. 1-2 the 1st hour; 1 per hour thereafter.

10. NO. We can be held liable since we served an intoxicated person and let him leave.

ALCOHOL AWARENESS OVERVIEW

In most states the restaurant itself can be held liable for the guest's actions if he injures himself or others as a result of becoming intoxicated in our restaurants. This is called the Dram Shop Act (or third party liability). As a corporation we want to limit our liability by training all of our cast members to recognize signs of intoxication and by expecting the management to handle the guest in a way that assures compliance with the local liquor laws.

Our challenge is to manage our restaurants so that we do not contribute to the problem of drunken driving and to establish ourselves, for the long term as a business dedicated to the fun and safety of our guests.

One of the many attractions of our restaurant is atmosphere. The serving of alcohol (beer and wine) is one of the elements, which contributes to that atmosphere and to guest satisfaction. Any successful business seeks to respond to what the guest wants, but a successful business person also needs to deal with relevant issues, which may impact the business.

Increased public concern for alcohol abuse continues to remind us of our role as successful business people. We must not allow our guests to hurt themselves or others by consuming too much alcohol. As managers we must use our judgment and common sense to manage the sales of our beer and wine and to communicate our concern for the welfare of our guest.

Colorado: The victim of a drunk driving accident won $9.5 million in an out-of-court settlement, not from the driver who caused the accident, but from the establishment who served the driver.

Michigan: A tavern agreed to a settlement of $10.8 million, including a $3 million cash payment, to the families of two people killed by a drunk driver who was served at the tavern before the accident.

Ohio: Widows of two men killed in an accident involving alcohol sued a bar and it owner for $24 million.

The term "third-party liability" is the responsibility an establishment's owners, managers, and employees have in the case of an injury. Although they themselves have not directly caused the injury, they, as the "third-party" may be held liable for contributing to the factors that allowed an injury to happen.

The intent of alcohol awareness training is to provide managers and cast members with a sound, factual basis to make rational business decisions.

We must balance the short-term benefit of the immediate sales with the long term good of our guests continuing to return to us.

BACKGROUND

The reason you are taking this training is that we are concerned about serving alcohol responsibly. We want to obey the law, protect our guests, protect our liquor licenses, reduce accidents caused by intoxicated people, and make your job safer and easier. By actively practicing responsible alcohol service, you can make your guests feel welcome and valued.

Alcohol has a relaxing effect and causes a sense of well-being. There is a feeling of fellowship in enjoying a drink with friends. Alcohol is also associated with taking pleasure in food. Wine, in particular, enhances the flavor of food, making dinner more enjoyable.

Unfortunately, there are those who drink for the wrong reasons or who over consume alcohol. At times, alcohol is not pleasurable. According to the U.S. Department of Transportation National Highway Traffic Safety Administration, drunk driving fatalities involving drivers with a Blood Alcohol Concentration (BAC) of 0.10 percent or greater have decreased since 1982. Still, nearly 18,000 people a year are killed in drunk driving accidents. Not only the drunk driver is at risk. Many of those injured or killed are passengers or innocent bystanders. In addition, alcohol-related crashes are one of the major causes of death in the 16 to 24 year old age group.

Studies show that 37 percent of all alcohol consumed takes place in bars and restaurants, and that 80 percent of alcohol-related crashes involve a BAC of 0.10 percent or higher. The hospitality industry needs to show its awareness of responsible alcohol service. Managers and employees have the opportunity to help reduce traffic injuries and deaths caused by intoxicated drivers.

Traffic accidents are not the only concern regarding alcohol consumption. Intoxicated individuals may become hostile and start fights, causing injury to themselves or others. Due to poor judgment or reduced motor coordination, the person who has over consumed alcohol may fall or be injured accidentally. He/she may accidentally hurt other patrons.

SERVER AND LICENSEE LIABILITY

For one thing, selling alcohol to a minor or intoxicated person is a criminal offense throughout the United States. The potential legal consequence for servers include arrest, fine, jail term, criminal record, and lost of employment. In addition, as the holder of the establishment's liquor permit or license, the licensee will likely be cited and fined by the state's liquor authority. The state also has discretionary power to suspend or revoke an establishment's license, effectively closing its doors.

Selling alcoholic beverages to an underage or obviously intoxicated person are not the only acts that create legal liability. A licensee also has a legal responsibility to ensure the safety and welfare of the establishment's clientele and can be held civilly and administratively liable for incidents occurring on the licensed property that result in bodily injury or property damage.

DRAM SHOP LAWS
(Third Party Liquor Liability)

The Servers, Managers, and The Company can be liable for a guest's actions if he/she injures him/herself or another party as a result of becoming intoxicated in our restaurants.

The most prevalent type of liquor liability lawsuit is brought by an innocent "third party" injured in some manner by an intoxicated patron (in legal parlance, the "first party" is the person purchasing the alcohol; the "second party" is the person serving the alcohol; the "third party" is someone outside of the particular transaction). In these cases, the plaintiff's attorney will attempt to prove that the patron was served alcohol to the point of intoxication, allowed to leave the establishment in an incapacitated condition and that the alcohol-induced impairment directly caused the ensuing accident. As a result of the employee's negligence, the licensee is culpable and liable for damages sustained by the third party.

A manager may also be named as a defendant in a third party lawsuit based on the liability theory of negligent failure to supervise. The basis for the action stems from the theory that a manager has a duty to "reasonably supervise and monitor" the on-premise activity and the actions of the operation's employees.

The Dram Shop Act encourages businesses to conduct themselves in a responsible manner towards their guests. Some proactive tips to avoid potentially dangerous situations include:

1. Actively encouraging patrons not to become intoxicated if they are consuming alcoholic beverages on the premises.

2. Promoting alternative, non-alcoholic beverages and making food readily available to patrons.

3. Providing an alternative, "safe" means of transportation intended to reduce the incidence of patrons driving while intoxicated.

4. Prohibiting employees from consuming alcoholic beverages while on duty.

5. A comprehensive on-going training program for servers in alcohol awareness, the responsible service of alcohol, and how to effectively interact with intoxicated patrons.

6. Maintaining an adequate number of well-trained employees for the type and size of the establishment.

7. Maintaining a standardized method for screening and hiring qualified employees.

8. Reprimanding and disciplining employees who violate the business's policies and procedures.

9. Establishing a comprehensive on-going training program for servers focusing on methods of detecting a falsified or altered piece of identification tendered for the purpose of purchasing alcoholic beverages.

10. Training servers to carefully examine identification for all persons seeking to purchase alcoholic beverages who may be reasonably suspected of being under-aged.

REVIEW

The 3 types of potential liability are:

1) Criminal Liability:	Owners, managers, and servers who sell to minors or intoxicated persons could face arrest, fines, and jail.
2) Administrative Liability:	A.B.C. can fine store or revoke license and employee can be fired.
3) Civil Liability:	Owners, managers, and servers can be personally sued for the acts committed by intoxicated person served at our restaurants.

LEGAL AGE TO SERVE ALCOHOL

STATE	AGE
Alabama	21
Arkansas	21
California	21
Colorado	21– unsupervised; 18 with absolute supervision by a manager 21 yrs or older in range to hear and see the actions of any cashier selling, serving or pouring.
Connecticut	18 – Deliver Beer/Wine to tables – NO service across order counter. Liquor Inventory must be stored under lock and key.
Delaware	0 – N/A
Florida	18
Georgia	18 – Per State requirement, 21 per Savannah local code.
Idaho	19
Illinois	18 to 21 – Age to serve varies in each restaurant per municipality codes
Indiana	21 – And have an Employee permit
Iowa	18
Kansas	18 – CEC is licensed to ONLY sell 3.2 beer
Kentucky	20
Louisiana	18
Maine	21– unsupervised; 18 with absolute supervision by a manager 21 yrs or older in range to hear and see the actions of any cashier selling, serving or pouring.
Maryland	18 to 21– Depending on county code for beer; 21 for wine
Massachusetts	18
Michigan	18
Minnesota	18 – Blaine requires all Food and Beer/Wine except salad bar to de delivered to tables
Mississippi	21
Missouri	21
Nebraska	19 – with 21 year old Mgr. on premises
Nevada	21
New Hampshire	18
New Jersey	0 – N/A
New Mexico	21
New York	18 – to handle liquor in **ANY WAY**
North Carolina	18
Ohio	19 – Beer and Wine when acting as waiter – 19yrs old to sell beer across bar. 21yrs old to sell wine across the bar
Oklahoma	18 – CEC is licensed to only serve beer (low point beer)
Pennsylvania	18
Rhode Island	18
S. Carolina	21
S. Dakota	18 – To ID & collect money; 21 to handle liquor
Tennessee	18 – Beer and Wine sales have different requirements
Texas	18
Virginia	18 – If the sale is supervised by someone 21
W. Virginia	21– unsupervised; 18 with absolute supervision by a manager 21 yrs or older in range to hear and see the actions of any cashier selling, serving or pouring.
Washington	18 – To ID & collect money; 21 to handle liquor
Wisconsin	18 – And hold a Bartenders Card
41	
Canada	18 (19 to Drink) – Beer/Wine to be delivered to tables in Showroom only. Except in Edmonton

*As of June 21, 2004

MINORS AND IDENTIFICATION

It is illegal to serve the following types of people.

- Minors
- Intoxicated Individuals
- Known, habitual alcoholics

There is no penalty for refusing to serve someone you suspect is one of the above.

MINORS

It is illegal to serve alcohol to people under 21 years of age. It is very important to follow the procedures established by the Company to avoid the possibility of serving a minor. All employees should learn these procedures and follow them carefully.

It is a very serious violation of the liquor code to serve a minor and the punishment may be severe.

In some states it may be illegal for a minor to buy, or try to buy, alcohol. It may also be illegal for a minor to present a false ID. However, these restrictions vary from state to state. Even if it is not illegal in your area for a minor to present a false ID, or to try to buy alcohol, it **is** illegal for you to serve a minor. **You will be held accountable, even if the minor is not!**

Once you have been trained to carefully check identification and to detect false I.D.'s, you will be able to handle situations involving minors in a responsible and confident manner. Know our policies regarding minors. Follow the established policies carefully. Don't allow the rules to be bypassed by anyone, whether that be a friend or a special guest.

* An increasing number of states are allowing **"Decoy Programs"** (underage people trying to buy alcohol) to help catch servers and managers that serve underage guests. Don't let this happen to you! I.D. 'em!

If the Guest is ordering at the cash register, **THE PERSON SERVING THE ALCOHOLIC BEVERAGE** is responsible to ID the Guest. At a party, the Birthday Hostess MUST direct the guest to the order counter.

ACCEPTABLE FORMS OF IDENTIFICATION

- Driver's License
- State-issued identification card
- Federal Military I.D. card
- U.S. Passport & Foreign Passport
- In many states it is O.K. to accept only your State's Drivers License

NOTE: If you do accept out-of-state licenses, use an I.D. Checking Guide. Most local beer distributors can provide you an I.D. Checking Guide that has color pictures of all states' licenses and I.D. cards.

If someone does not have a valid I.D., say: "I'm sorry, but I can't serve you without a valid I.D."

CHECKING I.D.'S

- Be familiar with State Licenses and I.D. cards.
- Ask for I.D. from everyone
- Have them remove from wallet or holder.
- Look for State seal.
- Make sure physical description matches person.
- Feel I.D. for alterations that may be passed on.
- Do the Math!! They must be 21. Look them in the eye!
- CHECK I.D. AS IF YOU WERE CASHING A $1,000 CHECK, BECAUSE THAT'S WHAT IT MAY COST YOU IF WRONG.

Some notes about checking I.D.'s:

- Most states will not allow you to combine two pieces of *unacceptable* I.D. to make one *acceptable* I.D.

- Use the **F-L-A-G SYSTEM.**

F = FEEL

- Have person remove the I.D. from their wallet or plastic holder (never accept a laminated document).
- Feel for information cutout or pasted on (especially near photo and birthday areas).
- Feel the texture.

L = LOOK

- Look for the State seals.
- Look at the photograph. Hairstyles, eye makeup and eye color can be altered, so focus your attention on the person's nose and chin. These features don't change. When encountering people with beards or facial hair, cover the facial hair portion of the photo and concentrate on the nose or ears.
- Look at the height and weight. They must reasonably match the person.
- Look at the date of birth and do the math! Pre-printed age charts can be helpful.
- Compare the age of the I.D. with the person's apparent age. For example, if the I.D. says the person is 22, but they only look 17, do not accept the I.D. no matter how genuine it looks.
- Look at the expiration date. If the I.D. has expired, it is not acceptable.

A = ASK

- Ask questions of the person, such as their middle name, zodiac sign, or year of high school graduation. Ask them the month they were born. If they respond with a number, it is probably because they are lying. If the person is with a companion, ask the companion to quickly tell you the person's name. Any hesitation means they are probably lying.
- Ask the person to sign their name, and then compare signatures.

G = GIVE BACK

- If the I.D. looks genuine, give the I.D. back to the customer and make the sale. If the I.D. is phony or altered, you should still return the I.D. Only peace officers are authorized to seize false I.D. documents. Also, there could be legal repercussions if you take another person's property. Licensees should consult with their attorneys before having a policy of confiscating false I.D.'s from customers.

INTOXICATION

What is the Legal Limit?

In most states .08% Blood Alcohol Content (B.A.C.) is the legal limit. A few states have begun to lower that limit down to 05%!!

FACTS

* One 12 oz beer = 1 drink
* One 4 oz glass of wine = 1 drink
* Our drink sizes:
  - Beer - small 14 oz.
  - Beer - large 24 oz. (20 oz. in a few states)
  - Wine - 6 oz.

If a 150 lb person has 2 beers in 2 hours, they will be at .05% B.A.C. (Our large beer = 2 beers).

It takes about 1 hour to eliminate the alcohol in a standard serving.

Refer to the Drink Chart Guide on the following page to determine how much an average person can drink.

First Stage

* Alcohol reduces inhibitions (visible warning signs)
  - Overly friendly
  - Speaking too loudly
  - Annoying others around them and/or cast members

Second Stage

* Alcohol impairs judgment
  - Uses foul language
  - Makes irrational statements
  - Becomes belligerent and argumentative

YOU NEED TO STOP SERVING IF IT HAS REACHED THIS POINT!! GET THEM A SAFE RIDE HOME!!

Third Stage

* Alcohol slows down reactions
  - Lack of eye focus
  - Slurred speech
  - Glassy-eyed

Fourth Stage

* Alcohol hinders coordination
  - Spilling/dropping things
  - Stumbling
  - Falling

DRINK CHART GUIDE

YOUR WEIGHT	NUMBER OF DRINKS*							
90 to 109	1	2	3	4	5	6	7	8
110 to 129	1	2	3	4	5	6	7	8
130 to 149	1	2	3	4	5	6	7	8
150 to 169	1	2	3	4	5	6	7	8
170 to 189	1	2	3	4	5	6	7	8
190 to 209	1	2	3	4	5	6	7	8
210 to 229	1	2	3	4	5	6	7	8
230 & UP	1	2	3	4	5	6	7	8

(.01% - .04%) May be DUI.

(.05% - .07%) Likely DUI.

(.08% - UP) Definitely DUI

(.10% - UP) in some states for DUI

* – Over a two hour period: 1 1/4 oz. 80 proof liquor,
12 oz. can of beer or
4 oz. of wine

HANDLING PROBLEMS

First and foremost, effective training of your cashiers and birthday hosts/showroom attendants can help to recognize and prevent these types of situations. Occasionally, however, a situation may arise - you and your cast members need to know what to do. All stores should already have and shown to all Cast Members the Security Video - " How to Handle Emergency Situations". It explains how to handle these types of cases. Here are some additional tips:

Cutting off service to a guest can be done with few problems when the proper intervention techniques are used.

What is intervention? Intervention is the cutting off of alcohol service to guests.

Who decides to intervene? The watchful server or cashier should be the first to notice that a guest has become intoxicated. Because the decision that a guest is intoxicated is a judgment call, get a second opinion.

Who intervenes? The manager needs to handle alcohol intervention cases. While a cashier can tell a guest that they can no longer be served, the manager should handle the situation.

For example: A guest comes up to the cashier and wants another beer. She has seen him have 2 already and he appears a little too "friendly". The cashier should then say, "Excuse me, sir. I've got to get change. I'll be back in a minute." Get the manager to handle the situation!

Wait until the guest asks for a drink before refusing service. There is no use telling a guest of your decision to stop service unless the guest asks for another drink. Do not risk angering the guest by saying "This is the last drink for you tonight." Do not cut a guest off while he/she has a drink and is contented. Wait until the guest asks for the next one.

Be friendly. Introduce yourself if you have not done so previously. "Good evening, sir. My name is Tom. Are you enjoying yourself this evening?" Do not approach a guest in a threatening or disapproving manner. Being friendly is the best practice.

Do not be judgmental. Do not blame the guest for drinking too much. Do not say, "You're drunk." Your guest may have miscalculated and accidentally had one too many. Give your guest the benefit of the doubt. The guest will probably regret having had too much alcohol when his/her judgment is less impaired.

Do not embarrass your guest. Avoid a public scene. Quietly tell the guest that you can no longer serve him/her alcohol. In some cases, it may be better to ask a guest to speak to you near the entrance.

Ask for help when necessary. If one guest at a table has been drinking more heavily than his/her friends, ask a responsible person in the group to help you in offering the intoxicated guest something other than alcohol to drink. Use peer pressure whenever it might help.

Alert a backup. When you discontinue service, tell the cashiers. Do not approach an intoxicated guest with the bad news of "no more alcohol" without having someone monitor the situation. The backup should be standing by, not approaching the guest with you. Two or more persons confronting the guest can be threatening.

Shift the blame. The guest is less likely to get angry if the one to blame for his/her being cut off is not you, but the liquor code, or even the police.

"I'm sorry, but my manager won't let me serve you another drink. It's the house policy. How about some coffee or iced tea?"

Offer alternatives to alcohol. Cutting off service of alcohol is easier if you have alternatives to offer. Know what the alternatives are and whether they will be offered free or at a charge.

Coffee does not help sober a guest, but does buy time for some of the alcohol to be burned up. Hot beverages take more time to drink than cold ones.

Food, especially high protein or fatty food (ie pizza), is good to offer since it slows the absorption of alcohol in the guest's stomach and, again, buys time.

"I'm sorry, I can't serve you any more alcohol at this time. May I bring you a cup of coffee and some breadsticks?"

Express your concern for the guest's well being. Resisting you is more difficult for the guest when you show concern for his/her welfare. The guest feels understood when you sympathize with him/her.

"I'm sorry, but I can't serve you any more alcohol. We're concerned about you and want to make sure you get home safely and come visit us again."

Be firm. Once you have told a guest you are cutting off service, do not change your mind. Do not allow the guest to bargain for "just one more." Stand by your decision. Be careful not to let other guests at the table ruin your efforts by passing drinks to the guest who has been cut off. **Remember that it is illegal to serve intoxicated individuals, <u>whether they are driving or not.</u>** Do not be misled by a red-level guest who says he/she is not driving so it is okay to continue service. It's not. It is against the law.

Repeat yourself as often as necessary. Your guest is not at their rational best. Do not argue. Do not go into detail. Just repeat the statements as many times as necessary. Your guest's reactions may be slowed. It may take him/her a while to really get the message.

Remain calm. Losing your temper or becoming irritated will not benefit you. It only makes matters worse. Practice what you need to say, so you will be comfortable when you have to say it. If your guest becomes hostile or says offensive things to you, try to ignore it. Remember, he/she is intoxicated. Do not take the comments personally, and never lower yourself by making offensive comments in return. Of course, if the guest's offensiveness continues beyond a remark or two, state that the guest will be asked to leave.

Do not use physical force. Do not touch a guest. If a guest becomes physically pushy, try to avoid him/her. If necessary, ask your backup to call the police.

GUEST SAFETY

Do not let an intoxicated guest drive. Use every persuasive means possible to prevent the intoxicated person from driving.

For the safety of your guest, the safety of other people on the road, and for your own legal protection, do not let an intoxicated patron drive away. Even if you turn a guest away at the door because he was intoxicated before he/she arrived, *do not let him/her drive away*. The threat to other lives and to your job is too great. Remember, too, that alcohol may not show its effect for up to 30-90 minutes after a person has consumed it.

Preventing an intoxicated guest from driving. Know our company policy about alternate transportation. Know who will be responsible for dealing with a guest in this situation. **At our expense suggest that you will call a cab or a family member to pick him/her up.**

If a guest insists on driving, tell him/her "the police are really cracking down around here," or "the police are watching us carefully and checking patrons who drive away." The guest might think he/she will get a citation should he/she choose to drive. Should you meet a guest who cannot be prevented from driving through persuasive means, **do not use physical force. Politely tell the guest that you will call the police if he/she drives away.** Make sure the guest understands that law enforcement will definitely be called. If he/she drives, get the car's license number and call. You could be held liable if the guest causes injury to an innocent party, and you have not contacted law officers to warn them of the intoxicated driver. Always document this situation on an incident report.

HELPFUL HINTS

1) A guest at the cash register wants to buy more than 1 drink?
Remember, One I.D. per drink!

2) A birthday hostess doing a party is asked to serve alcohol. Can she bring them their drinks?

No! Direct the guest to the Order Counter

3) Showroom attendants need to count beer cups as they pre-bus tables to help us monitor alcohol consumption by our guests.

4) When in doubt (I.D.'s, how much someone's had to drink) GET THE MANAGER!!

5) IF YOU ARE NOT OF LEGAL AGE - You cannot participate in the service of alcohol in any manner!!!

RESPONSIBLE ALCOHOL SERVICE TRAINING ACKNOWLEDGMENT

I have participated in the Responsible Alcohol Service Training Program for CEC Entertainment, Inc. dba Chuck E. Cheese's. During the program, I received information concerning the Company's policy on alcohol service and procedures for serving and monitoring the consumption of alcohol by our guests. I was also given information regarding the potential civil and criminal liabilities myself; the servers and the Company could face if I don't follow the prescribed procedures. I understand that if I violate the Company's policy regarding the responsible service of alcohol, I may be subject to disciplinary action up to and including termination.

Signature of Participant: _____

Print Name: _____

Date of Training: _____

Location: _____

Training Conducted by: _____